

STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION

FROM



Matt Urban
Wetlands Program Manager

DATE

October 23, 2017

AT (OFFICE)

Bureau of Environment

SUBJECT

Wetland Bureau Permit # 2017-01989
Acworth, 16301

TO

Joseph Adams, Bureau of Bridge Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 10/19/2017.

Please note specific conditions on permit.

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-7969.

MRU:sel
Encl.

cc: BOE Original
Robert Juliano, Bureau of Bridge Design
Gary Springs, Environmental Coordinator
Marc Laurin, Environmental Manager
Lysa Bennet-Crouch, Bureau of Highway Design
Bureau of Construction

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The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

October 19, 2017

NH DEPT OF TRANSPORTATION
C/O MATT URBAN
PO BOX 483
CONCORD NH 03302-0483

RECEIVED
BUREAU OF ENVIRONMENT

OCT 20 2017

NH DEPARTMENT OF
TRANSPORTATION

RE: File # 2017-01989
Subject Property: Acworth Tax Map/Lot # ROW / ROW

Dear Mr. Urban:

Attached please find Wetlands Permit # 2017-01989 to replace the 11 ft. span bridge with a 27.5 ft. span, construct a stone weir downstream and place rip rap to protect the structure from scour impacting 4,064 sq. ft. (1,889 sq. ft. temporary) of riverine wetlands. NHDOT project #16301

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on March 19, 2014 and Nov. 19, 2014.
6. The project does not require further mitigation as this meets rule Env-Wt 904.04(1), a new tier 3 stream crossing that is self-mitigating.
7. The removal and replacement of the bridge is expected to construct an additional area of stream channel.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
9. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.
10. The design as submitted meets many of the criteria listed in rule Env-Wt 904.05 and is approved as an alternative design per rule Env-Wt 904.09.
11. On July 7, 2017 the DES requested a copy of the mail receipt showing notice to the Local River Advisory Committee.
12. On October 9, 2017 the applicant sent an email which indicates the Local River Advisory Committee received a copy of the application.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

2017-1989

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Conditions Cont'd.

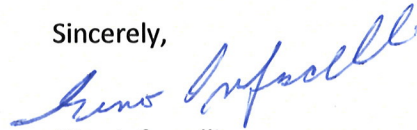
Any person aggrieved by this decision may appeal to the New Hampshire Wetlands Council (the Council) by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the New Hampshire Department of Environmental Services (NHDES) Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



Gino Infascelli
Public Works Project Supervisor
NHDES Wetlands Bureau

cc: Acworth Conservation Commission
Acworth Municipal Clerk
Jennifer Reczek, NHDOT, Bureau of Highway Design
Jennifer Riordan, The Smart Associates, Inc.
Frederick Ernst, Cold River LAC
NHDES Rivers Program



Department of Environmental Services



Robert R. Scott, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2017-01989

Permittee: NH DEPT OF TRANSPORTATION
PO BOX 483
CONCORD NH 03302-0483

Project Location: NH ROUTE 123A, ACWORTH
TAX MAP/LOT NO: ROW / ROW

Waterbody: BOWERS BROOK

NOTE CONDITIONS

APPROVAL DATE: OCTOBER 19, 2017

EXPIRATION DATE: OCTOBER 19, 2022

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Replace the 11 ft. span bridge with a 27.5 ft. span, construct a stone weir downstream and place rip rap to protect the structure from scour impacting 4,064 sq. ft. (1,889 sq. ft. temporary) of riverine wetlands. NHDOT project #16301

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with undated plans by NHDOT Bureau of Highway Design as received by the Department on July 7, 2017.
2. Preliminary plan sheets 8,9,10,11 and 12 of 12 shall be replaced with final plans and submitted to the file prior to construction.
3. Simulated Streambed Material Specifications shall be submitted prior to construction.
4. There shall be no disturbance within the banks to install the temporary pedestrian bridge.
5. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
6. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall not be located within surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have

settled and the water at the work site has returned to normal clarity.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
18. The impacts associated with the temporary work shall be restored immediately following construction.
19. Stream monitoring reports shall be submitted in accordance with Env-Wt 803.04.
20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

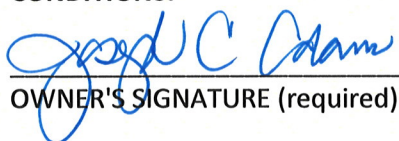
1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED:

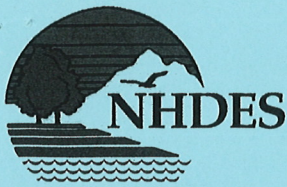

Gino Infascelli
NHDES Wetlands Bureau

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.


OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF
MAJOR IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a major impact project, and your project will be reviewed by the US Army Corps of Engineers for possible approval under the Army Corps New Hampshire State Programmatic General Permit – SPGP. The Army Corps will notify you within thirty (30) days as to whether you qualify.

*****NO WORK SHOULD BE DONE IN WETLANDS
UNTIL YOU RECEIVE THAT NOTICE*****

If you do not hear from the Army Corps within thirty (30) days, you should call them at 1-800-343-4789 (ME, NH, VT, CT, RI); 1-800-362-4367 (MA).

cc: US Army Corps of Engineers